

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

LESLIE RASHAD LOYD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-23-01036-JD
	)	
FNU DIAZ, et al.,	)	
	)	
Defendants.	)	

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation [Doc. No. 12] issued by United States Magistrate Judge Amanda Maxfield Green on February 7, 2024. Judge Green previously granted Plaintiff's Motion to Proceed *in Forma Pauperis* [Doc. No. 8], and initially ordered Plaintiff to pay an initial partial filing fee of \$4.50, by December 29, 2023. On January 8, 2024, the undersigned judge extended the deadline to pay the initial partial filing fee after receiving a letter from Plaintiff. [Doc. Nos. 10, 11]. Plaintiff was cautioned that failure to pay the initial partial filing fee would result in dismissal of this action without prejudice to refiling.

Plaintiff did not pay the initial filing fee, and on February 7, 2024, Judge Green issued a Report and Recommendation [Doc. No. 12] recommending that this action be dismissed without prejudice for Plaintiff's failure to pay the initial partial filing fee. Judge Green advised Plaintiff of Plaintiff's right to object to the Report and Recommendation by February 28, 2024, and that Plaintiff's failure to timely object waives the right to appellate review of the factual findings and legal issues in the Report

and Recommendation. Plaintiff has not filed any objection, paid the initial partial filing fee, or filed anything further in this action since December.

The Court therefore **ADOPTS** the Report and Recommendation [Doc. No. 12] in its entirety for the reasons stated therein. Plaintiff's Complaint [Doc. No. 1] is hereby **DISMISSED** without prejudice. *See also* Fed. R. Civ. P. 41(b).

IT IS SO ORDERED this 1st day of March 2024.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", written over a horizontal line.

JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE